

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

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UNITED STATES OF AMERICA,

Plaintiff,

v.

ALLEN HILLY,

Defendant.

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Criminal No. 07-35 (SRC)

**ORDER**

**CHESLER**, District Judge

This matter having come before the Court upon the July 19, 2010 letter application filed by Defendant Allen Hilly (“Defendant”) [docket entry 108] requesting to waive his constitutional right to appointed counsel and proceed *pro se* pursuant to his Sixth Amendment right to self-representation; and the Court having conducted on July 30, 2010 a hearing as prescribed by *Faretta v. California*, 422 U.S. 806 (1975) and *United States v. Peppers*, 302 F.3d 120 (3d Cir. 2002); and the Court having satisfied itself that Defendant’s decision to proceed *pro se* is knowing and voluntary; and for the reasons expressed on the record of proceedings of July 30, 2010; and good cause shown,

**IT IS** on this 10<sup>th</sup> day of August, 2010,

**ORDERED** that Defendant’s application to proceed *pro se* be and hereby is **GRANTED** *nunc pro tunc* to July 30, 2010; and it is further

**ORDERED** that Henry Klingeman, Defendant's appointed counsel under the Criminal Justice Act, be and hereby is relieved as counsel for Defendant *nunc pro tunc* to July 30, 2010; and it is further

**ORDERED** that the Clerk of the Court shall update the docket of this case to note that Defendant, who is currently incarcerated, must be served with all papers filed by the parties and/or the Court at the following address: Essex County Correctional Facility, 354 Doremus Avenue, Newark, New Jersey 07105; and it is further

**ORDERED** that, pursuant to *McKaskle v. Wiggins*, 465 U.S. 168, 184 (1984) and its progeny, Henry Klingeman be and hereby is appointed as Defendant's standby counsel *nunc pro tunc* to July 30, 2010; and it is further

**ORDERED** that Mr. Klingeman shall be copied on all filings and submissions made by either Defendant or the Government in this action; and it is further

**ORDERED** that the Clerk of the Court shall continue to include Mr. Klingeman on the active service list on the electronic docket of this action.

s/Stanley R. Chesler  
STANLEY R. CHESLER  
United States District Judge